IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4552 OF 2006

Manahar Ranchhoddas Varia .. Applicant

Versus

State of Maharashtra .. Respondent

Mr.H.S.Venegaonkar for applicant

Mr.S.S.Pednekar, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 22nd December 2006

P.C.

. Mr.Venegaonkar for applicant has filed instant application for anticipatory bail on behalf of the applicant who apprehends arrest in

connection with C.R.No.271 of 2006 registered by Panchavati Police station, now transferred to E.O.W., Crime Branch, Nashik.

2. Mr.Venegaonkar fairly states that earlier application for anticipatory bail was rejected by this Court. Thereafter, there are subsequent developments inasmuch as the applicant has deposited a sum of Rs.20,000/- towards cost of enquiry whereas Vasant Lodha whose loan was outstanding has repaid the same. The appliant was at the relevant time working as Manager of the concerned Society.

3. Besides this, applicant’s wife has repaid entire loan of Rs.7,31,000/-. In these circumstances, second application be entertained.

4. The above subsequent developments are not disputed by learned A.P.P. and upon taking instructions from the I.O. who is present in

court, he confirms that the amounts have been repaid. In such circumstances, applicant deserves to be granted pre-arrest bail.

i) In the event of the arrest of the applicant in connection with C.R.No.271 of 2006 registered with Panchavati Police Station now transferred to EOW, Crime Branch the applicant shall be enlarged on bail in the sum of Rs.1 lakh with one or two sureties in the like amount.

ii) The bail is granted subject to condition that the applicant to forthwith surrender his passport, if any, to the I.O. Applicant shall not leave Nashik city without prior permission of trial court. The applicant shall report to E.O.W.Crime Branch, Nashik once a week on every Monday between 11.00 a.m. and 1.00 p.m. till the charge sheet is filed and

thereafter as directed by the trial court till conclusion of trial.

iii) Bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the police officer/ investigating agency. The applicant shall not tamper with the prosecution evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial

v) This order will enure to the benefit of the applicant only till charge sheet is filed. Thereafter, he will be free to apply to the appropriate court for appropriate relief.

vi) Application is disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)